

CHARGES TRICK IN \$200,000 DIVIDENDS

Allan Ryan and Others Sued for Paying Profits Out of Capital.

STOCKHOLDER COMPLAINS

Alleges Plan to Boost Lithograph Stock to Relieve Underwriters.

A suit to recover \$200,000 from Allan A. Ryan, son of Thomas F. Ryan, James M. Hutton of the Stock Exchange firm of W. E. Hutton & Co., Ferdinand W. La Frenz, president of the American Surety Company, Theodore Cochran, Jr., vice-president of the American Audit Company, and the officers of the United States Lithograph Company was disclosed yesterday when a notice of appearance in a suit by Francis de Raimes against the United States Lithograph Company and the individual defendants named was filed by Winthrop & Stimson for the defendants.

The officers of the lithograph company sued are John Omwake, president, and William Ottmann and Joseph F. Sweeney, vice-presidents. The lithograph company, the largest concern of its kind in the country, is a \$7,000,000 corporation organized in New Jersey, with its main office in Cincinnati and a branch in New York. It is affiliated with the United States Printing and Engraving Company and was merged in 1909 with the Consolidated Lithographing Company, Ryan, Hutton, La Frenz and Cochran are directors.

The suit is a stockholder's action brought in behalf of the plaintiff, who holds \$5,000 worth of stock, by Harrison Clark, Jr., of 15 Wall street.

Dividends Cause of Suit.

It was learned that the plaintiff seeks to hold the defendants liable for dividends aggregating \$200,000 which are alleged to have been paid by the lithograph company when there were no net earnings.

The directors are accused of declaring a dividend of 7 per cent when they knew the dividends would have to be paid out of capital.

Under the laws of New York directors are held accountable for their acts. If they pay dividends out of capital they are personally liable. It is understood that the dividends were paid on the report of an audit company that the net profits warranted it. Under the court rulings the directors of a corporation are not permitted to rely solely on the report of an audit company in declaring dividends.

The suit is based on allegations that the 7 per cent dividends were paid out of capital in order to create a market for the stock of the lithograph company. It is charged that after the two lithograph companies were merged the directors named as defendants signed an underwriting agreement with the Morton Trust Company, an agreement under which they agreed on May 1, 1911, to purchase about \$1,000,000 of the preferred stock of the United States Lithograph Company which remained unsold at that date.

Plan to Relieve Directors Alleged.

It is alleged that the fictitious market for lithograph stock was created through dividends paid out of capital in order that there might be a public market for the stock that would relieve the directors from carrying out the underwriting agreement.

It was learned yesterday that the \$1,000,000 of stock issue was to raise funds to pay notes of the consolidated company held by the Morton Trust Company as trustee. It was because of these notes that Allan A. Ryan had a place on the board of directors.

The United States Lithograph Company paid 7 per cent dividends up to 1911, but has paid none since.

SCARE OVER FOSS PAPERS.

Governor's Secretary Says They Have Been Tampered With.

BOSTON, Aug. 18.—George M. Harlow, assistant secretary to Gov. Foss, charged those opposing the Governor's nomination on the Republican ticket to-day with having tampered with his nomination papers. He said:

"If the nomination papers for Gov. Foss are not filed it will be because the men charged with getting signatures have been tampered with. As it is, I have three sets of papers. Middlesex, Bristol and Barnstable counties. I am relying on Essex county to complete the list."

"Two prominent manufacturers from Hampden county have informed me that the man entrusted with the Foss papers there has mysteriously disappeared. Senator William Nye of Barnstable county tells us of a mysterious trip made to Boston by one of those having charge of the papers there. When this man returned he is said to have been 'feeling good' and minus the papers. Two Worcester county workers are known to have had the same experience."

"I am confident that some one has tampered with the men who had charge of the Foss nomination papers. If his name is kept off the official return, he will be one of those behind these mysterious moves which will be responsible for it."

HELD ON MANN LAW CHARGE.

Two Youths Arrested on Complaint of Girl's Parents.

PHILADELPHIA, Aug. 18.—Herbert Shepard, 20 years old, and Albert Mitchell, 21, manager of a garage in this city, were held in \$3,500 bail here to-day by Magistrate Coward on the charge of violating the Mann act. The case has many of the features that characterized the Diggs-Caminetti affair. Both of the alleged victims are minors and one of them is the heir to a fortune of \$100,000.

Clayde Chetwood, aged 14, lives with his mother and stepfather, Mr. and Mrs. William P. Hess, at 6315 Glenmore avenue. Her companion was Laura B. Hoff of Forty-eighth street and Willows avenue. It is charged that the young men took the two girls in an automobile from this city on Saturday last to Berlin, N. J., and there detained them under force over night and most of Sunday, finally taking them to Atlantic City, from which place they sent them back to Philadelphia.

The parents of both girls preferred the charges against the men to-day and the arrests followed.

REWARD FOR NEWARK BANKER.

Second Complaint Sworn Out Against R. E. Smith.

NEWARK, N. J., Aug. 18.—Capt. Carroll of the detective force announced here to-day that a reward has been offered for the apprehension of Raymond E. Smith, the missing secretary of Raymond E. Smith, the missing secretary and treasurer of the Roseville Trust Company, which was closed last week by State bank examiners after a shortage of \$200,000 in the bank's funds was found.

William P. Odell, president of the institution, and William Fairlie, the vice-president, told the police to-night that the apprehension of Smith was necessary to the recovery of the reward. Circulars will be sent out describing Smith.

SHERIFF WILLING TO BE MAYOR.

Harburger Outlines the Onerous Duties of His Office.

Sheriff Harburger is willing to be Mayor of New York. He said so yesterday in a letter to Louis Bowdoy of the Fairmont, 418 West 116th street, when replying to a complaint that the rattling of dishes and pots and chopping of wood in a restaurant annoys the tenants in an apartment house. Bowdoy owns.

The Sheriff also advised Bowdoy and his tenants to go to the seashore or mountains to avoid the noise. Sheriff Harburger wrote:

"When I open my mail in the morning I have forty or fifty complaints daily from men and women who are undoubtedly thinking that instead of being Sheriff I am the Mayor of New York city. Although I am willing to be, I still wear the Sheriff's wand and can only confine myself to the collection of bonds, throwers, thugs, firebrands, gunmen, arsonists, thieves, anarchists, nihilists, dynamiters, seditionists, horse poisoners, political bosses, scoundrels and scoundrels, red flangers, blackmailers, Black Handers, illiterate, besotted white slavers of both sexes; grafters, looters and parasites."

"The chopping of wood and rattling of dishes in your restaurant and the rattling of dishes and pots and chopping of wood in a restaurant annoys the tenants in an apartment house. Bowdoy owns."

"We have had very hot weather of late and it affects the nerves of excitement of your tenants and yourself could go to the mountains or nearby summer resorts I am sure you would not be disturbed."

WIVES TO TESTIFY FOR DIGGS AND CAMINETTI

Defence Will Be That Reno Trip Was to Avoid Threatened Scandal.

SAN FRANCISCO, Aug. 18.—R. C. Ramsey, an attorney for Maury Diggs, was fined \$100 to-day for smashing a newspaper camera man in the mouth last Friday when the photographer snapped Diggs and his wife and Drew Caminetti in the street.

When the trial is resumed to-morrow morning Maury Diggs will be the first witness. He will be followed by his wife and then by Drew Caminetti and Mrs. Caminetti. This will practically complete the case for the defence.

The testimony of Diggs, Caminetti and their wives will show that the two young men, in leaving Sacramento to the girls, jumped from the flying pan into the fire. Marshall Woodworth of counsel for the defence said: "We intend to show that the young men fled from Sacramento to avoid trouble with their wives and possible lawsuits and that they had no immoral intention in going to Reno with the girls. Our contention is that Diggs and Caminetti did not cajole and threaten the girls into making the trip. We will show they left Sacramento only after their wives had threatened legal proceedings."

Diggs is expected to give an account of the Reno trip and of his acquaintance with both girls before the elopement. Mrs. Diggs will testify that she heard of her husband's actions with Miss Warrington and had complained to Diggs's father about them. She will also swear that she threatened legal proceedings against both Miss Warrington and Diggs. Caminetti and his wife will give similar testimony regarding Mrs. Caminetti.

The stand taken by Diggs and Caminetti will be that they were so alarmed lest action be brought against them only themselves but the girls also that they decided all four should flee to avoid a scandal. The defence thinks it will take two days to present the remainder of its testimony, as the attorneys are figuring on a long cross-examination of all the four principal witnesses. They may rest on Wednesday night and arguments will begin Thursday morning. The case will be given to the jury on Thursday night or Friday morning.

BALE POOL MAN FORFEITS BAIL.

Toren, Charged With Lottery Scheme, Fails to Appear.

Henry Francis Toren, accused of conducting a baseball lottery under the name of the Metropolitan Information Bureau, did not appear in the Tombs police court yesterday when his case was called. Magistrate Harlow ordered his bail bond of \$500 forfeited. The bond was furnished by the Southern Surety Company of 31 Liberty street. Toren's lawyer, H. E. Beardsley, is an officer of that company.

Two postponements of the case already had been granted to Toren. When Attorney Beardsley asked for a third yesterday Magistrate Harlow refused. Toren was arrested on August 6 on evidence gathered by an evening newspaper. It is said he made his headquarters in the office of George Robinson, at 95 Nassau street.

GARDEN CITY PRINTERS SUIT.

Strike Against Doubleday, Page & Co. Wins Recruits.

The longing for a closed shop which led eight or ten employees of the photo engraving department of Doubleday, Page & Co. at Garden City to forsake their tasks last week incited the same number of printers to strike yesterday.

President Frank N. Doubleday said that their departure would not in any way cripple the publishing house as there are from sixty to eighty printers employed and those who left are a negligible percentage. He said all the machines were running as usual.

The United States Ambassador to Great Britain, W. H. Page, is a member of the firm.

INSTRUCTION.

GARDEN CITY, L. I.

For Boys and Young Men.

ST. PAUL'S SCHOOL

For Boys

HELP WANTED—MALE.

FIRST-CLASS PROOFREADER

wanted on magazine work; one who has had practical experience at the case. State age, where previously employed and length of service, and salary expected. Address "Proofreader," Curtis Publishing Co., Philadelphia.

HELP WANTED—FEMALE.

MILLINERS—Wanted first class milliners. Call all week. HEIMANN & LICHTE, 102-104 Prince St. Take

BOARDS WANTED.

PRIVATE family would board young children; country; comfortable home; excellent school; trained nurse supervision; \$25 monthly. M. S. Sun Station office, 300 West 125th St.

HAMBURG-AMERICAN

Largest SS Co. in the World. Over 400 Ships. 1,106,819 TONS.



NEXT SAILING

For London-Paris-Hamburg

S. S. AMERICA

Aug. 21, 11 A. M.

"IMPERATOR"

World's Largest Ship

SAILS AGAIN

August 30, 9 A. M.

and every three weeks thereafter.

Enabling passengers to arrive in

LONDON, PARIS and HAMBURG on

the same day. Tickets on hand. Books

now open for season.

LONDON, PARIS, HAMBURG

America Aug. 21, 11 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

Imperator Aug. 30, 9 A. M.

CUNARD

MOST EXPEDITIOUS ROUTE DIRECT VIA FISHERGUARD, LONDON, PARIS, BERLIN, VIENNA

The Fastest Steamers in the World
Mauretania Lusitania

QUEENSTOWN, FISHERGUARD, LIVERPOOL.

*MAURETANIA... AUG. 20, 1 A. M.

*LUSITANIA... SEPT. 24, 1 A. M.

*MAURETANIA... OCT. 1, 1 A. M.

*LUSITANIA... OCT. 15, 1 A. M.

*MAURETANIA... SEPT. 10, 1 A. M.

*LUSITANIA... OCT. 1, 1 A. M.

*MAURETANIA... SEPT. 17, 1 A. M.

*LUSITANIA... OCT. 1, 1 A. M.

*MAURETANIA... SEPT. 24, 1 A. M.

*LUSITANIA... OCT. 1, 1 A. M.

*MAURETANIA... SEPT. 31, 1 A. M.

*LUSITANIA... OCT. 1, 1 A. M.

*MAURETANIA... SEPT. 24, 1 A. M.

*LUSITANIA... OCT. 1, 1 A. M.

*MAURETANIA... SEPT. 31, 1 A. M.

*LUSITANIA... OCT. 1, 1 A. M.

*MAURETANIA... SEPT. 24, 1 A. M.

*LUSITANIA... OCT. 1, 1 A. M.

*MAURETANIA... SEPT. 31, 1 A. M.

*LUSITANIA... OCT. 1, 1 A. M.

*MAURETANIA... SEPT. 24, 1 A. M.

*LUSITANIA... OCT. 1, 1 A. M.

*MAURETANIA... SEPT. 31, 1 A. M.

*LUSITANIA... OCT. 1, 1 A. M.

*MAURETANIA... SEPT. 24, 1 A. M.

*LUSITANIA... OCT. 1, 1 A. M.

*MAURETANIA... SEPT. 31, 1 A. M.

*LUSITANIA... OCT. 1, 1 A. M.

*MAURETANIA... SEPT. 24, 1 A. M.

*LUSITANIA... OCT. 1, 1 A. M.

*MAURETANIA... SEPT. 31, 1 A. M.

*LUSITANIA... OCT. 1, 1 A. M.

*MAURETANIA... SEPT. 24, 1 A. M.

*LUSITANIA... OCT. 1, 1 A. M.

*MAURETANIA... SEPT. 31, 1 A. M.

*LUSITANIA... OCT. 1, 1 A. M.

*MAURETANIA... SEPT. 24, 1 A. M.

*LUSITANIA... OCT. 1, 1 A. M.

*MAURETANIA... SEPT. 31, 1 A. M.

*LUSITANIA... OCT. 1, 1 A. M.

*MAURETANIA... SEPT. 24, 1 A. M.

*LUSITANIA... OCT. 1, 1 A. M.

*MAURETANIA... SEPT. 31, 1 A. M.

*LUSITANIA... OCT. 1, 1 A. M.

*MAURETANIA... SEPT. 24, 1 A. M.

*LUSITANIA... OCT. 1, 1 A. M.

*MAURETANIA... SEPT. 31, 1 A. M.

*LUSITANIA... OCT. 1, 1 A. M.

*MAURETANIA... SEPT. 24, 1 A. M.

*LUSITANIA... OCT. 1, 1 A. M.

*MAURETANIA... SEPT. 31, 1 A. M.

*LUSITANIA... OCT. 1, 1 A. M.

*MAURETANIA... SEPT. 24, 1 A. M.

*LUSITANIA... OCT. 1, 1 A. M.

*MAURETANIA... SEPT. 31, 1 A